

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KENNETH WINSTON ASHFORD	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	NO. 11-1698
	:	
MIKE WENEROWICZ	:	
THE DISTRICT ATTORNEY OF THE	:	
COUNTY OF NEW YORK and THE	:	
ATTORNEY GENERAL OF THE STATE OF	:	
PENNSYLVANIA,	:	
Respondents.	:	

ORDER

AND NOW this 27th day of May, 2011, upon consideration of the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 filed by petitioner, Kenneth Winston Ashford (Document No. 1, filed March 9, 2010), and the record in this case, and after review of the Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter dated March 29, 2011, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter dated March 29, 2011, is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 filed by petitioner, Kenneth Winston Ashford, is **TRANSFERRED** to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. §§ 1404(a) and 2241(d); and,
3. A certificate of appealability will not issue because reasonable jurists would not debate this Court's procedural ruling as required under 28 U.S.C. § 2253(c)(2). See Slack v. McDaniel, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ **Jan E. DuBois**

JAN E. DUBOIS, J.